

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74704 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- SABAUR District- Bhagalpur

Deepak Ravidas @ Deepak Das, aged about 21 years, Male, Son of Jitan Ravidas @ Jiten Rabidas, Resident of Mohalla- Mahamdabad (Choudharydih), P.S.-Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 19-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Ajay Kumar Jha, learned counsel for the petitioner and Mr. Shantanu Kumar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Sabour P.S. Case No.56 of 2019 dated 06.03.2019 instituted under Sections 394 of the Indian Penal Code and 25(1-b) a of the Arms Act.

4. The allegation against the petitioner and two others is of entering into the house of the informant and looting away



various articles.

5. Learned counsel for the petitioner submitted that the FIR is against unknown persons and the caretaker of the house is said to have snatched a mobile set of one of the miscreants, which later on turned to be of the wife of co-accused Amar Rabidas. It was submitted that only because from that mobile phone call was made to the mobile of the petitioner, he has been implicated. Learned counsel submitted that FIR was against unknown persons, but later on, Amar Rabidas, who was caught, has taken the name of the petitioner and Pawan Yadav, who has also been made accused. Learned counsel submitted that other co-accused Pawan Yadav and Amar Rabidas have been granted bail on 04.07.2019 in Cr. Misc. No.39967 of 2019 and on 17.07.2019 in Cr. Misc. No.44071 of 2019 respectively. Learned counsel for the petitioner submitted that there is one other antecedent against the petitioner and he in custody since 09.03.2019.

6. Learned APP, from the case diary, submitted that the ATM card of the victim, which was also taken away by the miscreants, was recovered from the pocket of the petitioner when he was caught while trying to run away on seeing the police party. However, he did not dispute that it was co-accused,



Amar Rabidas, whose mobile was taken by the caretaker while the miscreants were fleeing away and the same has been found to be in the name of wife of the said co-accused, Amar Rabidas.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the CJM, Bhagalpur, in Sabour P.S. Case No.56 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the



aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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